

**CITY OF GROVE
AND ALL SUBSIDIARIES**

POLICY ON USE OF INTERNET AND E-MAIL

Section 1. Purpose

The purposes of the City of Grove's (The City of Grove and all subsidiaries are referred to as the City of Grove hereinafter) computer and other electronic systems, including, but not limited to, electronic mail (e-mail) and the Internet, are to provide an efficient and effective means of internal and external communications, and to improve work productivity. This policy addresses access to and the disclosure of information from such electronic systems.

Among other things, this policy is intended to guide the City of Grove's employees, (City of Grove employees are referred to as employees, volunteers, contractors, public officials, or users hereinafter) in the performance of their duties.

This policy serves as notice to the employees of the City of Grove, that all data, including any that is stored or printed as a document, is subject to audit and review. There are no expectations of personal privacy in the use of the Internet or e-mail systems when using computers or services provided by the City of Grove.

Finally, this policy serves to delineate acceptable uses of the Internet and e-mail systems by City of Grove employees while using government-owned or leased equipment, facilities, Internet addresses, domain names, and/or e-mail services registered to the City of Grove. It seeks to ensure that the use of the Internet and e-mail systems by City of Grove employees while conducting work for the City of Grove and/or while using City of Grove provided systems is consistent with applicable laws, and the individual user's job responsibilities.

Section 2. Statement of Policy

The City of Grove promotes Internet and e-mail use that enables employees to perform City of Grove missions and encourages its employees to develop Internet and e-mail skills and knowledge; to access scientific, technical and other information on topics which have relevance to the City of Grove; and to communicate with their peers in other government agencies, academia and industry on matters of relevance to their work for the City of Grove.

- (a) *Responsible Use:* Users are advised not to use the Internet or e-mail systems for any purpose, which would reflect negatively on the City of Grove or its employees.
- (b) *Property of the City of Grove:* The City of Grove's electronic mail and Internet systems are business tools. These systems shall be used in a

professional manner for legitimate business purposes only, and at all times, remain the property of the City of Grove.

(c) *Scope:* This policy applies to:

- (1) All technical resources that are owned or leased by the City of Grove that are used on or accessed from the City of Grove's premises, or that are used for City of Grove business. This policy also applies to all activities using any City of Grove paid accounts, subscriptions, or other technical services, such as Internet access and e-mail, whether or not the activities are conducted from the City of Grove's premises; and
- (2) All full or part-time employees who use City of Grove resources to access the Internet or e-mail systems.

(d) *Information is Not Private:* The City of Grove computers and the data stored on them remains at all times, the property of the City of Grove. As such, all messages created, sent or retrieved over the Internet or the City of Grove's electronic mail systems are the property of the City of Grove, and should not be considered private information. Employees have no right to privacy as to any information or file transmitted through or stored in the City of Grove computer systems, electronic mail, or other technical resources.

(e) *Monitoring and Disclosure:* The City of Grove reserves the right to access, retrieve, read and disclose any data, messages or files stored on the City of Grove systems for any purpose. Employees should be aware that, even when a message is erased or a visit to a web site is closed, it is still possible to recreate the message or locate the web site. The City of Grove reserves the right to monitor use of these systems to prevent abuse, enforce other policies, and access this information. Access may occur, in but is not limited to, situations including (1) impropriety (2) violations of this Policy (3) legal requirements (4) suspected criminal activity (5) breach of systems security or (6) to locate substantive information or monitor employee performance and conduct. The contents of these systems may be disclosed by the City Manager within or outside of the City of Grove without employee permission. Furthermore, all communications including text and images may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. The City of Grove has unlimited access to protect the security of these systems and the City of Grove's property rights.

(f) *Consent:* All City of Grove employees who have access to the City of Grove e-mail system and/or the Internet are required to abide by this policy.

Section 3. Use of the Internet

The City of Grove provides Internet access to many employees for their use in performing their duties. All employees are responsible for using Internet resources in an effective, ethical and lawful manner. It is the City of Grove's policy that the Internet resources, like other assets, be used for the benefit of the City of Grove. All Internet use should be congruent with the City of Grove's overall government policies. The City of Grove reserves the right to monitor and/or log all network activity with or without notice, including all web site communications, and therefore, users should have no expectations of privacy in the use of these resources. Use of the systems in violation of this or other City of Grove policies is prohibited and may lead to disciplinary action, up to and including termination.

(a) *Uses that are acceptable and encouraged:*

- (1) Communications and information exchanges directly related to the mission, charter and work tasks of the City of Grove.
- (2) Announcements of the City of Grove's procedures, meetings, policies, services and activities.
- (3) Use for advisory, standards, research, analysis, and professional society or development activities related to the user's City of Grove job-related duties; and
- (4) Use in applying for or administering grants or contracts for City of Grove.

(b) *Uses that are unacceptable:* It is unacceptable for a user to access, use, submit, publish, display, download, save or transmit on the network, or on any computer system, any information which:

- (1) Violates or infringes upon the rights of any other person, including the right to privacy.
- (2) Contain defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory or illegal materials.
- (3) Violates the City of Grove regulations prohibiting harassment;
- (4) Restricts or inhibits other users from the system, or the efficiency of the computer systems;
- (5) Encourages the use of controlled substances for the purpose of criminal intent; or

- (6) Uses the system for any other illegal purpose.
- (c) *Other unacceptable uses.* It is also unacceptable for a user to use the facilities and capabilities of the system to:
- (1) Conduct any non-approved business;
 - (2) Solicit the performance of any activity that is prohibited by law;
 - (3) Transmit material, information, or software in violation of any local, state or federal law;
 - (4) Conduct any political activity;
 - (5) Conduct any non-City of Grove fund raising or public relations activities;
 - (6) Engage in any activity for personal gain or personal business transactions;
or
 - (7) Make any unauthorized purchases.
- (d) *Copyrighted Material:* Users may download copyrighted materials, but its use must be strictly within the agreement as posted by the author or current copyright law. The federal Copyright Act at 17 U.S.C. 101 et seq. (1988) protects and prohibits misuse of all original works of authorship in any tangible medium of expression. This includes a prohibition on plagiarism (using someone else's ideas or writings and passing it on as one's own).
- (e) *E-Mail:* Internet e-mail is considered network activity, and is subject to all policies regarding acceptable/unacceptable uses of the Internet as well as the City of Grove's e-mail policy. Users should not consider Internet e-mail to be either private or secure.
- (g) *Passwords:* Access to the Internet may require a password. Authorized employees are prohibited from giving their passwords to any other person, except as provided in this policy. The password remains the property of the City of Grove, and the Personnel Director is responsible for maintaining a log of network passwords.

Section 4. Uses of E-Mail System.

The City of Grove provides an e-mail system to employees for their use in performing their duties. All employees of the City of Grove are responsible for using the e-mail system in an effective, ethical and lawful manner. It is the City of Grove policy that the e-mail system, like other City of Grove assets, be used for the benefit of the City of Grove. All e-mail use should be congruent with the City of Grove's overall governmental policies. The City of Grove reserves the right to monitor and/or log all network activity with or without notice, including all web site communications, and therefore, users should have no expectations of privacy in the use of these resources. Use of the system in violation of this or other City of Grove policies is prohibited and may lead to disciplinary action, up to and including termination.

- (a) The City of Grove's e-mail system is for official City of Grove business and it shall be unacceptable to use the system for unrelated purposes, including but not limited to the following:
 - (1) To send or receive 'chain' or similar type 'letters'.
 - (2) To send or receive documents in violation of copyright or other laws.
 - (3) To knowingly open mail not directed to you. Except to the extent that the City of Grove reserves the right to access and review all electronic uses and records, e-mail messages are confidential.
 - (4) To send messages in violation of City of Grove security policies.
 - (5) To forward electronic messages without a legitimate business purpose under circumstances likely to lead to embarrassment of the sender or to violate the clearly expressed desire of the sender to restrict additional dissemination.
 - (6) To send messages that are false or misleading, inaccurate, abusive, obscene, pornographic, sexually oriented, threatening, offensive, discriminatory, or illegal, including but not limited to sending messages under assumed name or with intent to obscure the origin of the message.
 - (7) To solicit for commercial ventures, religious or political causes, outside organization or other non-job related solicitations.
- (b) Avoid carbon-copying individuals who have no direct involvement or need-to-know. Likewise, e-mail to all users should only be used on very rare occasions when every person on the system has a direct need to know.
- (c) Avoid 'forwarding' e-mail to a third party unless necessary (see 'carbon-copying'). When forwarding, explain the reason for the forwarding action and

edit out any potentially inappropriate contents. If in doubt about the appropriateness of forwarding a given piece of mail, check with the originator for guidance.

- (d) When sending an e-mail requiring 'action' be sure to indicate which 'To' addressee(s) is/are to take the action.
- (e) Do not 'say' anything in an e-mail message that could prove embarrassing or compromising to you or others. Each employee is responsible for the content of all text, audio or images they transmit.
- (f) Avoid potentially contentious exchanges through e-mail.
- (g) Confidential and sensitive information, such as performance reviews, disciplinary and/or corrective actions, attorney-client privileged information, personnel information, and health or medical information should not be communicated via e-mail.
- (h) Communication which would be inappropriate under other City of Grove policies are equally unacceptable if delivered via electronic communication. These communications may include, but are not limited to, harassing or discriminatory comments, breaches of confidentiality, and insubordinate statements.
- (i) Use your common sense in determining when to use e-mail, in what is said, and to whom. Remember that no electronic communication is private and the City of Grove reserves the right to monitor and review all communication originating from or entering its computer systems.

Section 5. Security and Virus Protection.

- (a) E-mail and/or Internet access may utilize passwords for security, however employees should be aware that the reliability of such tools for maintaining confidentiality cannot be guaranteed. Additionally, all passwords must be made known to the City of Grove through the Personnel Director, and passwords not known to the City of Grove may not be used.
- (b) To prevent computer viruses from being transmitted through the system, employees who are permitted to download software onto their computer or any drive in that computer, users must scan all materials with the City of Grove virus protection software. Additional concentration of policies established by the City Manager should be used in determining the opening of e-mails or files.

Section 6. Enforcement.

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of the Internet and e-mail systems provided by the City of Grove and are not necessarily exhaustive. Questions about specific uses should be directed to the user's supervisor.

Immediately upon implementation of this policy, Assistant City Manager will be responsible to provide a copy of this policy to, and collect signed consent forms from all employees.

The supervisor will review and report to the City Manager any alleged or suspected violations of the policy and clear violations may result in disciplinary actions. Any user violating these provisions or applicable local, state or federal laws is subject to immediate loss or restrictions of Internet/e-mail privileges, additional disciplinary actions, up to and including termination of employment and/or criminal prosecution.

Section 7. Consent Agreement.

As a condition of employment, all City of Grove employees must acknowledge that all computer and electronic systems, including but not limited to, electronic mail and Internet network activity are the property of the City of Grove, and therefore, they should not consider any activity to be private. All employees of the City of Grove must sign the consent form provided, within thirty (30) days of receiving a copy of this policy. By signing the consent form, users acknowledge that they received a copy of this policy, read it, and understand the City of Grove's policy and the potential penalties for non-compliance.

Consent Agreement

I _____ received a copy of the City of Grove's Policy on the Usage of Internet and E-Mail.

I understand that as a condition of employment, I must acknowledge that all computer and electronic systems, including but not limited to, electronic mail and Internet network activity are the property of the City of Grove, and therefore, should not consider any activity to be private.

I also understand I must sign this consent form and return to the Assistant City Manager within thirty (30) days of receiving a copy of this policy. By signing the consent form, I acknowledge that I received a copy of this policy, read it, and understand the City of Grove's policy and the potential penalties for non-compliance.

Employee Signature

Date